



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,153	11/14/2003	Kalpita Jain	MSFT125728	2365
38991 7590 10/03/2007 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			EXAMINER TECKLU, ISAAC TUKU	
			ART UNIT 2192	PAPER NUMBER
			MAIL DATE 10/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/714,153

Applicant(s)

JAIN ET AL.

Examiner

Isaac T. Tecklu

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on 07/10/2007.
2. Claims 1-23 have been reexamined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Ali et al. (US 7,036,049 B2), hereinafter Ali.

As per claim 1 (Currently Amended), Ali discloses a portal server for a network of computing devices for aggregating application issue data for access from a plurality of independent software vendors (ISVs), the portal being accessible by one or more application developers of the ISVs via a network computing device, the portal server comprising:

a data interface [[to]] for accessing a plurality of application issue data sources for obtaining application issue data regarding one or more applications associated with each of the ~~one or application developers~~ ISVs (col. 4: 10-20 "... end users connected via router ... allowing data to be transmitted ...");

a network interface accessible by each of the one or more application developers and e.g. FIG. 1, elements 142-148 and related text); and

an aggregation module for aggregating the application data by application (col. 4: 1-10 "... aggregation unit 102 of FIG. 1 generates aggregated statistics file ..." and col. 6: 30-40 "... statistics collection units 314-318 of FIG. 3, aggregation unit 320 of FIG. 3..." and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications associated with that application developer (col. 3: 55-65 "... summarize the errors detected and writes a summary record ..." and e.g. FIG. 7 and related text) and omitting application data for applications not associated with that application developer (col. 4: 20-40 "... gathering the appropriate statistics within its associated node segment ..." and e.g. FIG. 8 and related text).

As per claim 2 (Currently amended), Ali discloses the portal server according to claim 1, wherein the aggregation module is further operable to prioritize the application data according to at least one criterion at the request of an application developer (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text).

As per claim 3 (Currently amended), Ali discloses the portal server according to claim 2, wherein the at least one criterion includes one or more criteria selected from the group consisting of issue ID, application name (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text), application version (e.g. FIG. 5 and related text), issue type (e.g. FIG. 5, error type and related text), issue priority (e.g. FIG. 6, row 620 and related text), operating system (e.g. FIG. 6, row 622 and related text), and number of issue reports per issue (e.g. FIG. 7 and related text).

As per claim 4 (Currently amended), Ali discloses the portal server according to claim 1, wherein the plurality of application issue data sources comprise a database of logo certification test results performed on at least one application by a party other than the application developer and a database of user-reported computer crash data (e.g. FIG. 8 and related text).

As per claim 5 (Currently amended), Ali discloses the portal server according to claim 4, wherein the plurality of application issue data sources further comprise an additional database of application experience test data (col. 8: 1-15 "... errors of this type occur in an interval ...").

As per claim 6 (Currently amended), Ali discloses a web portal user interface for presenting application issue data to a user (paragraph [0029] "... through a portal or gateway 104 of Figure 1) comprising:

- a search pane for user entry of at least one search term (e.g. Figure 5 and related text), whereby entry of at least one search term coupled with a run command will cause a search to be executed of aggregated application issue data (col. 6: 20-30 "... searching for types of errors as indicated ...") and;

- a task pane for user selection of a format for display of application issue data (e.g. FIG. 7 and related text; and

- a content pane for display of application issue data (e.g. FIG. 6 and related text).

As per claim 7, Ali discloses the web portal user interface according to claim 6, wherein the user is an application developer of one or more applications, and the application issue data available to the user in the content pane relates to those one or more applications (col. 3: 55-65 "... summarize the errors detected and writes a summary record ..." and e.g. FIG. 7 and related text) and omits data related to applications other than the one or more applications (e.g. FIG. 8 and related text).

As per claim 8, Ali discloses the web portal user interface according to claim 7, wherein the task pane contains a listing of available formats (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text).

As per claim 9, Ali discloses the web portal user interface according to claim 8, wherein the listing of available formats comprises a summary format (e.g. FIG. 8 and related text).

As per claim 10, Ali disclose the web portal user interface according to claim 9, wherein each application issue has associated therewith number of reports of that issue, and wherein the summary format comprises a graphical illustration of the number of reports associated with each of a subset of application issues, each application issue in the subset having associated therewith more reports than any of the remaining issues not in the subset (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text).

As per claim 11, Ali discloses the web portal user interface according to claim 8, wherein the listing of available formats comprises a format wherein each of the one or more applications is listed and is visually associated with information regarding application issues for that application (e.g. FIG. 6 and related text).

As per claim 12, Ali discloses the web portal user interface according to claim 11, wherein the information visually associated with each of the one or more applications comprises an indication of the total number of issues associated with that application (e.g. FIG. 8 and related text).

As per claim 13, Ali discloses the web portal user interface according to claim 12, wherein the applications issues each have one of a plurality of types, and wherein the information visually associated with each of the one or more applications comprises an indication of the number of issues of each type associated with that application (e.g. FIG. 7 and related text).

As per claim 14, Ali discloses the web portal user interface according to claim 11, wherein the information visually associated with each of the one or more applications comprises an indication of the total number of issues associated with that application when used in conjunction with an indicated operating system (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text).

As per claim 15, Ali discloses the web portal user interface according to claim 8, wherein the listing of available formats comprises a format wherein all application issues associated with the one or more applications are presented (e.g. FIG. 6 and related text).

As per claim 16, Ali discloses the web portal user interface according to claim 15, wherein each application issue has an identifier, and wherein within the format wherein all application issues associated with the one or more applications are presented, the application issues are grouped by application issue identifier (col. 7:60-68 "... error associated with a threshold value ..." and e.g. FIG. 6 and 8 and related text).

As per claim 17, Ali discloses disclose wherein the search pane comprises selectable search filters (col. 6: 20-30 "... searching for types of errors as indicated ..." and e.g. FIG. 5 and related text).

As per claim 18 (Currently amended), Ali discloses a method of presenting application issue data regarding one or more software applications to a developer of the one or more software applications comprising:

gathering application issue data from a plurality of data sources (col. 7: 5-15 "... statistics are gathered for ...");

aggregating application issue data such that application issues pertaining to [[a]] the same application are grouped together (e.g. FIG. 3 and related text); and presenting the aggregated application issue data visually to the developer of the one or more software applications (e.g. FIG. 7-8 and related text).

As per claim 19, Ali discloses the method according to claim 18, wherein gathering application issue data from a plurality of data sources comprises gathering the application issue data from a database storing at least one item of user crash report data and a database storing at least one item of test report data (col. 3: 55-65 "... summarize the errors detected and writes a summary record ..." and e.g. FIG. 7 and related text).

As per claim 20, Ali discloses the method according to claim 18, wherein presenting the aggregated application issue data visually to the developer of the one or more software applications comprises presenting a user selectable control for altering the order in which the application issues are presented (e.g. FIG. 8 and related text).

As per claim 21, Ali discloses the method according to claim 18, wherein presenting the aggregated application issue data visually to the developer of the one or more software applications comprises presenting a subset of the data in a visual page and presenting a user-selectable page control for accessing one or more pages of remaining data (e.g. FIG. 7 and related text).

Per claim 22 this is the computer-readable medium version of the claimed method discussed above (Claim 18), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Ali.

Per claim 23 (Currently amended), this is the apparatus version of the claimed method discussed above (Claim 18), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Ali.

Response to Arguments

5. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection. See Ali et al., art made of record.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac T. Tecklu whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isaac Tecklu
Art Unit 2192



TUAN DAM
SUPERVISORY PATENT EXAMINER